

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 2/26/2010

Case Number 2:10-cr-24

Case Style: USA vs. Augusto T. Abad

Type of hearing Plea Hearing

Before the honorable: 2508-Copenhaver

Court Reporter Barbara Steinke

Courtroom Deputy Kelley Miller

Attorney(s) for the Plaintiff or Government Monica K. Schwartz

Attorney(s) for the Defendant(s) Jane C. Moran/W. Thomas Ward

Law Clerk

Probation Officer Ted Philyaw

### Trial Time

### Non-Trial Time

Plea Hearing

### Court Time

1:41 pm to 3:02 pm

Total Court Time: 1 Hours 21 Minutes Non-Trial Time/Uncontested Time

### Courtroom Notes

1:30 case set

1:41 - case called - purpose of hearing for defendant to enter plea to two-count information pursuant to plea agreement - defense counsel says that is correct

Defendant sworn - gave personal information

Court read information - defendant understands

Court gave elements - defendant understands

Waiver of indictment received and filed

Original plea agreement to the court - court summarized majority of the agreement - defendant understands license revocation agreement - defendant understands restitution agreement - defendant understands stipulation of facts - defendant understands entire agreement

Court explained constitutional rights, maximum penalties, supervised release, additional term, advisory sentencing guidelines, relevant conduct

## **District Judge Daybook Entry**

Guilty plea received and filed

Defendant gave factual basis

Court finds factual basis, accepts plea and plea agreement and adjudges defendant guilty

Directs PSI - sentencing set for June 3, 2010, at 1:30 pm

Bond - defendant to be released on \$10,000 unsecured bond

3:02 concluded